

Mail Stop Interference  
P.O. Box 1450  
Alexandria VA 22313-1450  
Tel: 571-272-9797  
Fax: 571-273-0042

Filed: 15 September 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
(Senior Administrative Patent Judge McKelvey)

---

STEVEN P. **NOLAN**  
and JINKUN HUANG,

Junior Party  
(Application 09/392,869),

v.

ROBERT H. **GRUBBS**  
and MATTHIAS SCHOLL,

Senior Party  
Application 09/576,370).

---

Patent Interference No. 105,373  
Technology Center 1600

---

REDECLARATION - Bd.R. 203(c)

NAGUMO, Administrative Patent Judge

- 1 In view of the DECISION – Interlocutory Motions
- 2 Bd.R. 125(b) (Paper 56), it is:

ORDERED that this interference is redeclared with  
the following changes ONLY:

Nolan is NOT accorded benefit for priority  
of the filing date of U.S. Provisional Application  
5 60/115,358, 8 January 1999.

FURTHER ORDERED that Nolan is the junior party.

FURTHER ORDERED that Grubbs is the senior party.

FURTHER ORDERED that the style of this  
interference is changed as on the first page of this  
10 REDECLARATION.

FURTHER ORDERED that a copy of this  
Redeclaration shall be placed in the files of U.S.  
Application 09/392,869 and U.S. Application  
09/576,370.

15 FURTHER ORDERED that if there is a  
settlement not of record in this interference, the  
attentions of the parties are directed to 35 U.S.C.  
§ 135(c) and Bd.R. 205.

20 /ss/ Mark Nagumo  
MARK NAGUMO  
Administrative Patent Judge

25

cc (via Electronic Mail):

Attorney for Grubbs  
(real party in interest  
California Institute of Technology):

Lisa A. Haile, Esq.  
Antony M. Novom, Esq.  
Email: [lisa.haile@dlapiper.com](mailto:lisa.haile@dlapiper.com)  
Email: [antony.novom@dlapiper.com](mailto:antony.novom@dlapiper.com)

Attorney for Nolan  
(real party in interest  
University of New Orleans Foundation):

R. Andrew Patty II, Esq.  
Mary H. Drabnis, Esq.

Email: [rap@spiplaw.com](mailto:rap@spiplaw.com)  
Email: [mhd@spiplaw.com](mailto:mhd@spiplaw.com)

**Desperтт, Sonja**

---

**From:** Desperтт, Sonja on behalf of Interference Trial Section  
**Sent:** Friday, September 15, 2006 2:36 PM  
**To:** 'lisa.haile@dlapiper.com'; 'antony.novom@dlapiper.com'; 'rap@spiplaw.com';  
'mhd@spiplaw.com'  
**Subject:** Interference 105373 (MN) Paper No. 57 - Redecларation-Bd.R. 203(c)  
**Attachments:** 105373.057.pdf

9/15/06